

MINUTES OF THE ZONING BOARD
PUBLIC HEARING AND REGULAR MEETING,
MONDAY, JANUARY 30, 2017 AT
7:00PM, ON THE 4th FLOOR, CAFETERIA,
GOVERNMENT CENTER BLDG, 888 WASHINGTON
BLVD., STAMFORD, CT

Present for the Board: Thomas Mills (Chair), David Stein (Secretary), William Morris, Joanna Gwozdzowski and Sandra Dennies-Alternate, Present for staff: Ralph Blessing, Land Use Bureau Chief, and Vineeta Mathur, Associate Planner.

Chairman Mills called the meeting to order at 7:10 pm.

Ms. Dennies was seated in the absence of Ms. McManus.

A motion was made by Mr. Stein to take the meeting out of order to hear applications 216-49 and 216-50, seconded by Gwozdzowski and carried on a vote of (Mills, Stein, Dennies, Morris & Gwozdzowski).

1. **Application 216-49 – STAMFORD PROJECT LLC (Westy Self-Storage) 80 Brown House Road, Site and Architectural Plans,** Modification of appl. 216-35 to eliminate approved parking lot located on the southerly rear portion of the property. Property is located in the M-D District.
2. **Application 216-50 – STAMFORD PROJECT LLC (Westy Self-Storage) 80 Brown House Road, Text Change,** To amend Article III, Section 9, BBBB M-D Designed Industrial District to change the parking standard for self-storage uses in the M-D district.

Chairman Mills read applications 216-49 and 216-50 for the record.

Ms. Mathur updated the board and stated that the plan is being revised because of a conservation easement and that we want to give EPB time to review.

Chairman Mills stated that the public hearing for applications 216-49 and 216-50 will be continued at the February 13, 2017 meeting.

A motion was made by Mr. Stein to return the meeting to order, seconded Ms. Dennies and carried on a vote of 5 to 0 (Stein, Dennies, Mills, Morris & Gwozdzowski)

PUBLIC HEARING CONTINUED FROM JANUARY 9, 2017

1. **Application 216-41 – Ten Rugby Street, LLC. 10 Rugby Street, Special Exception Coastal Site Plan Review and Site and Architectural Plan Review**, Proposing to construct a 21,000 square foot building to house all operating procedures of a demolition materials recycling facility indoors (office, material storage, stockpiling, loading/unloading and use of all heavy machinery). The building design and feature will mitigate noise, vibrations, dust, offsite parking and truck circulation associated with the present use.

Chairman Mills read application 216-41 for the record and stated that this application is a continuation from the January 9, 2017 meeting.

Richard Redniss of Redniss & Mead noted that this was their third public meeting. They have covered noise, dust and Carbon Monoxide, sensors, text, site plan, conditions & the stipulation. We were left with the discussion about the vibration test. Mr. Vitti moved his machine to Second Street and Summer Street for the demolition of the old gas station (the site of LCB senior housing project). He described to the board using presentation boards the location of where the crusher was placed. He noted that even though the crusher was not on a pad, the test was still below the vibration level required.

Chairman Mills asked about the acceptable levels of vibrations.

Ms. Mathur described to the board in detail, the study she prepared on acceptable vibrations levels that she obtained from the Zoning Regulations from other cities within Connecticut and studies done in other States.

Chairman Mills noted that he would like to understand the numbers on the chart.

Mr. Redniss and Ms. Mathur explained to the board the details of what is an acceptable level based on a study conducted for Iowa Department of Transportation.

Mr. Redniss stated that the Zoning Board can put in a condition that the operations management plan be completed prior to a building permit. In addition the City can test at any time for dust, vibrations, etc. He stated that they have no problem with this being part of the staff conditions. He expressed that the applicant is not worried about vibrations. They will put the monitors wherever the board wants them.

Chairman Mills asked if there were additional machines operating when the impactor was tested. He noted that while the impactor in itself may meet the vibration criteria, all the equipment together needs to be analyzed together to make sure that the entire indoor operation is functioning at the level of noise and vibration that is permitted.

Mr. Redniss stated that the test prior to starting the full operation can be done so as to include all operation equipment to ensure that we are below all the thresholds.

Ms. Gwozdzowski asked if the testing was conducted done indoors.

Mr. Redniss replied that no, the test was done in open air at the Second Street, Summer Street site.

Ms. Dennies expressed her concern related to the vibration experienced by the neighbors. She noted that she would just like to make certain that the testing will be outside the building.

Mr. Redniss stated that yes we can test outside the buildings. He described the three places outside where they can test, they can also test inside if staff would like.

Mr. Morris asked if GeoSonics made any recommendations regarding the type of pad to use.

Mr. Redniss stated that they did not seek an opinion from GeoSonics regarding the pad. He stated that they are under the recommended vibration level without the pads. He stated that they may come back and ask that they do not use the pads and leave the machine on dirt, and then test on dirt for vibration levels.

Chairman Mills asked if the machine that was being used on Summer Street will be the only machine used or if the applicant is going to buy a new machine.

Mr. Redniss noted that the machine that was used on Summer Street will be the exact machine proposed to be used on site. He noted that they did state the type of machine that will be used in the application.

Chairman Mills expressed concern regarding who will bear the cost for the noise testing. He recommended that the cost be borne by the applicant not the City.

Mr. Redniss noted that all this can be part of the operations management plan.

Mr. Stein asked if this could be part of the conditions.

Mr. Redniss replied yes it can be, but will also be part of the operations management plan.

Ms. Dennies asked if the rubber strips (curtain panel) would absorb any noise and vibrations.

Mr. Redniss replied that the rubber strips were put in place as an option for noise mitigation not the vibrations.

Attorney Thomas Cassone, representative for 10 Rugby Street LLC –addresses the board and stated that he has worked with the City on the stipulations and also spoke about the court case.

Attorney Jim Minor, representative for the City of Stamford described the court ruling to the board and the costs involved. The city won on the “no rock crushing” aspect. The Counsel asked the court for a fine to be implemented and require attorney fees. The judge said no that we should try and compromise. So we worked on the stipulation to make the crushing indoors rather than take it to Bridgeport.

Mr. Morris asked if other contractors bring their materials to this site for crushing.

Mr. Minor replied yes.

The board then discussed their concerns about trucks lining up and causing a disturbance
Chairman Mills asked what happens if the hours are violated.

Attorney Minor responded that in that circumstance we go to court. He stated that the parties have agreed on the violation fines in court.

No public comments for Application 216-41.

Chairman Mills closed the public hearing for application 216-41.

PUBLIC HEARING

1. **Application 216-44 – RICHARD REDNIESS – 22 First Street Stamford, CT– Text Change,** to amend Section 4-AA-8 P Park District by adding a new paragraph 8.2.1. The purposed text change will create a Special Exception use to allow for Public Charitable Institutions with a minimum of 25 years of established collaboration with the City of Stamford to occupy and/or redevelop existing park buildings.

Chairman Mills read application 216-44 for the record.

Mr. Stein read the Planning Board referral comments for the record

Richard Redniss of Redniss & Mead submitted the mailing into the record. He stated that this process started 14 months ago and that the idea is to repurpose an existing historic building (Hunt Center) located in Courtland Park and to bring Person to Person to Stamford. Person to Person is a wonderful organization that is currently serving seventeen thousand (17,000) Stamford residents. Person to Person would go through the leasing process and board approvals. He then made a presentation using presentation boards. He stated at this point we do not know the condition of the buildings and we are hoping that it will be suitable for rehabilitation. He stated that he got to know of the deed restriction from Jim Minor. This text would be another layer so that the property could not be challenged by another entity.

He stated that they have made presentations to HPAC and to the Parks & Recreation Commission. He stated that they were not happy that they were just hearing about this request at the meeting. They felt that the administrative should have informed them prior to their meeting. It's their park- it's their call on what happens in the park. So after two hours of discussion we went back top staff and drew up conditions. The Parks & Recreation Commission can veto whatever the zoning board does.

Mr. Stein asked as to what happens if we approve this text change and the Parks & Recreation Commission turns down the project. Does the text change stay in place?

Mr. Redniss replied yes.

Mr. Redniss stated that they are requesting that the board keep this application open until Feb 27, 2017 so that we can go before the Parks & Recreation Commission at their next meeting. The City of Stamford is not going to spend the money to fix up this building so we think that this is a good step. He noted that they have spoken with the local Representative for the area concerning their traffic concerns.

Chairman Mills asked if the thought is to put people into the Building

Cece Marr, Executive Director of Person to Person described that they service about twelve hundred families. She noted that they provide families with food for the week once per month. The place where people scrimp is food. They are looking to have a food pantry, clothing center and financial assistant in this site. They give a family a bag of clothes a month. People make an appointment to come in.

They send 500 students to summer camp every summer and 125 students to college with scholarships. In the past 10 years alone they have contributed 58 million in services to the City of Stamford. She noted that 93 % of all donations go to the clients. The personnel include 3000 volunteers which keeps our costs down.

Mr. Stein asked if this building will be for executive offices.

Ms. Marr noted that the offices will be in Darien.

Ms. Gwozdzowski asked how many people will work in the building.

Ms. Marr noted that about eight staff-persons and some volunteers for the clothing and food pantry.

Mr. Stein asked if they have people coming in to drop off donations

Ms. Marr noted that we will probably not have that many. The drop off location will most likely still be Darien. They will sort through the donations and move the items to the Stamford location in their van.

There was a discussion about other food pantries in the City. There was also a discussion about the traffic anticipated with the project.

There was discussion of the appropriate procedure and approvals needed from the Parks and Recreation Commission and Historic Preservation Advisory Committee.

Chairman Mills asked how this project will affect the rest of the park.

Mr. Redniss noted that that they have prepared a demonstration plan using presentation boards. They will be adding a little parking and the rest of the park will remain the same including the dog park. During off-peak hours there is an area which could be shared with the public.

Mr. Stein stated that he liked the idea over all. His concern was that we are writing something that could allow groups to come in that we do not want. He said that I'd like to see the language tightened up. The board then discussed the topic of tightening up the language in detail.

The board then discussed the aspects of the leasing process and the time limits.

Mr. Blessing stated that the lease term would be part of the Special Exception. We do not want to be too specific, it would have to have some flexibility.

Mr. Redniss stated that he agreed.

No Public Comments for Application 216-44

Chairman Mills stated that the public hearing for application 216-44 be continued at the February 27, 2017 meeting.

Chairman Mills called a recess at 9:30 pm, Meeting resumed at 9:40 pm

REGULAR MEETING

APPROVAL OF MINUTES

Minutes for Approval: January 9, 2017: Following a brief discussion, Ms. Gwozdzowski moved approval of minutes as amended, seconded by Mr. Morris and carried on a vote of 4 to 0 (Gwozdzowski, Morris, Dennies & Stein)

PENDING APPLICATIONS

1. **CSPR 1027– JOANNE AND SHELDON KAHAN, 24 Manitou Rd, Westport, CT, –**
Proposing to construct a new single family house at the address know as **78 Ocean Drive East, Stamford, CT.** Property is in the CAM boundary

Chairman Mills read application CSPR 1027 for the record.

Ms. Mathur presented the application to the board and following a brief discussion Mr. Morris moved to approve CSPR -1027 with conditions prepared by EPB staff, seconded by Ms. Gwozdzowski and carried on a vote of 5 to 0 (Mills, Morris, Stein, Dennies & Gwozdzowski)

A motion was made by Mr. Stein to take the meeting out of order to hear New Business and Old Business, seconded by Ms. Gwozdzowski and carried on a vote of 5 to 0 (Mills, Morris, Stein, Dennies & Gwozdzowski)

NEW BUSINESS

Administrative Review of signage, Metro Green /717 Atlantic Street

Ms. Mathur presented the request to the board. She outlined the details for the signage and answered questions from the board.

After a brief discussion Mr. Stein moved to approved the signage request, seconded by Ms. Gwozdzowski and carried on a vote of 5 to 0 (Mills, Morris, Stein, Dennies & Gwozdzowski).

OLD BUSINESS

Stamford Neighborhood Coalition's request for the Zoning Board to initiate a Text Amendment for a moratorium on changes to the V-C District.

Mr. Blessing noted that we talked to coalition in which the coalition expressed that they would like the Zoning Board to act on a zoning text change that would prohibit the V-C expansion for a certain period of time. He noted that we reached out to the counsel and were informed that a moratorium is usually put in place for a shorter period of time such as 12 months. The idea is that you could still have development going on but you could not change the regulations of the V-C District. As an example, under a moratorium you could not change the height or the parking restrictions.

It would be up to the zoning board if they want to do this. If so then staff would work on this, if not, then the neighborhood coalition would have to come up with a text change application.

Chairman Mills polled the board members regarding who should submit the moratorium request.

Mr. Stein – Coalition should present

Ms. Dennies – Coalition should present

Mr. Morris – Zoning Board should present

Ms. Gwozdzowski –Zoning Board should present

Mr. Blessing then explained to the board his conversation with the coalition and some of the changes that he feels could help.

Chairman Mill asked Mr. Blessing what he thinks about how the V-C District was written.

Mr. Blessing said there could be some changes like the density and the parking requirements. He also noted that a future study may be needed in the V-C District. Mr. Blessing stated that we looked at the development in the Springdale and Glenbrook areas since the V-C District was put into place. He then handed out a report to the board members and explained his findings. He stated that he feels that changes to the density would slow things down without it coming to a halt.

Chairman Mills expressed that he was not sure about the two year halt.

Mr. Blessing stated that the problems on Hope Street are not directly related with the V-C development but rather with normal traffic coming through from other areas. He does agree with the coalition that we have to see how this is going to work and that we need more time, since this has not been around long enough. He agreed that we do need to study the traffic some more. But he also expressed that the current traffic problems do not have anything to do with the V-C District.

Ms. Dennies stated that she would like to hear the moratorium request from the coalition, without which she feels that she would have to go with the studies that were provided to the board.

Chairman Mills expressed that a moratorium would be appropriate.

Mr. Stein noted that he disagrees.

Mr. Blessing stated that the moratorium would not do anything to slow down the development within the V-C district which could still go on. He stated that he had proposed to the coalition a suggestion to introduce a text amendment to reduce the density and increasing the parking requirement would have a direct effect on reduce the development.

Mr. Blessing noted that while the Master Plan allows for the expansion of the V-C district, the Land Use Bureau will not initiate the expansion of the V-C district.

Mr. Morris asked if the Zoning Board can legally institute a policy that the Board will not accept an application for the expansion of the V-C for the next twelve months.

Mr. Stein stated that the policy in itself will not be sufficient and an applicant could still come in with an application which the Zoning Board would have to look at and thus the policy would not have any effect.

Mr. Morris noted that the area in Springdale is somewhat limited, but the area in Glenbrook is much larger.

Mr. Blessing confirmed yes.

Chairman Mills – Applicants for the V-C District should meet with staff first and then they can bring their Pre-Application to the board

Chairman Mill moved for a vote on “Any development within the V-C District to be presented before the board as a pre-application”:

The vote was (4 to 1) as follows:

Ms. Gwozdzowski -Yes

Mr. Morris - Yes

Mr. Stein -Yes

Ms. Dennies –No

Chairman Mills -Yes

DISCUSSION

1. Memo sent from Ralph Blessing, Land Use Bureau Chief to the Zoning Board “Suggestions for Procedural Changes to Zoning Board Meeting”.

Mr. Blessing presented the proposal for process improvements to the Zoning Board. Key elements include staff presentation of the applications prior to presentation by the applicant, creation of application and presentation standards and time limitation on presentation by speakers. The Zoning Board was receptive to changes presented by staff and asked the staff to proceed with implementing them.

2. Update from staff regarding status of previous zoning board approvals

Ms. Mathur and Mr. Blessing provided the Zoning Board with the status of past and upcoming projects including the St. John’s towers A, B & C, Parcel 38, 484 Pacific Street and 860 Canal Street.

ADJOURNMENT

William Morris moved to adjourn the meeting at 10:50 pm, seconded by Ms. Dennies and carried on a vote of 5 to 0 (Mills, Morris, Stein, Dennies & Gwozdzowski)

The meeting was adjourned at 10:52 pm

Respectfully submitted,

David Stein, Secretary
Stamford Zoning Board

ZB PH 013017

NOTE:

These proceedings were recorded on **video** and are available for viewing through the City of Stamford's web page – www.stamfordct.gov.

There proceedings were also **audio tape** recorded and are available for review in the Land Use Bureau located on the 7th floor of the Government Center, 888 Washington Boulevard, during regular business hours.